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11/27/02

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/724,552	
	Filing Date	November 28, 2000	
	First Named Inventor	Schenk, Dale B.	
	Art Unit	1647	
	Examiner Name	Christopher J. Nichols	
Total Number of Pages in This Submission	12	Attorney Docket Number	15270J-004761US

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (PTO/SB/17) (1 page, submitted in duplicate)  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement (5 pages) w/attached PTO/SB/08A (2 pages) and PTO/SB/08B (3 pages) (w/o references 340-406) (submitted in duplicate)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return receipt postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP Rosemarie L. Celli	Reg. No. 42,397
Signature	<i>Rosemarie L. Celli</i>	
Date	October 6, 2003	

**CERTIFICATE OF MAILING**

Express Mail Label: EV 337 295 964 US		
I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date October 6, 2003 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450		
Typed or printed name	Daniel Miranda	
Signature	<i>[Signature]</i>	Date October 6, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.  
**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**FEE TRANSMITTAL**  
**for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180**Complete if Known**

Application Number	09/724,552
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Examiner Name	Christopher J. Nichols
Art Unit	1647
Attorney Docket No.	15270J-004761US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

**The Commissioner is authorized to:** (check all that apply)
☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fees from below	Fee Paid
Total Claims	** =		
Independent Claims	** =		
Multiple Dependent	X		

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Large Fee (\$)	Small Fee Code	Small Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)**

(\$180)

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Rosemarie L. Celli	Registration No. (Attorney/Agent)	42,397	Telephone	650-326-2400
Signature	<i>Rosemarie L. Celli</i>	Date	October 6, 2003		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Date of Deposit: October 6, 2003

**PATENT**

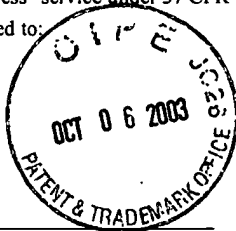
Attorney Docket No.: 15270J-004761US

Client Reference No.: 209-US-CIP8BC1

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: \_\_\_\_\_



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

DALE B. SCHENK et al.

Application No.: 09/724,552

Filed: November 28, 2000

For: PREVENTION AND TREATMENT  
OF AMYLOIDOGENIC DISEASE

Examiner: Christopher J. Nichols

Art Unit: 1647

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/580,018, filed May 26, 2000 (Attorney Docket No. 15270J-004760US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

10/10/2003 0900F01 00000066 201430 09724552

01 FC:1006 100.00 DA

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98;  
09/497,553 filed 02/03/00;  
09/724,477 filed 11/28/00;  
09/723,927 filed 11/28/00;  
09/724,762 filed 11/28/00;  
09/724,102 filed 11/28/00;  
09/724,489 filed 11/28/00;  
09/322,289 filed 05/28/99;  
09/723,713 filed 11/27/00;  
09/723,760 filed 11/27/00;  
09/724,319 filed 11/27/00;  
09/723,384 filed 11/27/00;  
09/724,495 filed 11/27/00;  
10/429,216 filed 05/30/03;  
09/580,015 filed 05/26/00;  
09/724,940 filed 11/28/00;  
09/724,961 filed 11/28/00;  
09/580,018 filed 05/26/00;  
09/724,552 filed 11/28/00;  
09/723,544 filed 11/28/00;  
09/724,273 filed 11/28/00;  
09/724,551 filed 11/28/00;  
09/724,288 filed 11/28/00;  
09/580,019 filed 05/26/00;  
09/723,765 filed 11/28/00;  
09/724,291 filed 11/28/00;  
09/204,838 filed 12/03/98;  
09/724,929 filed 11/28/00;

09/585,817 filed 06/01/00;  
09/724,567 filed 11/28/00;  
09/724,575 filed 11/28/00;  
09/724,953 filed 11/28/00;  
09/724,570 filed 11/28/00;  
09/585,656 filed 06/01/00;  
09/723,766 filed 11/27/00;  
09/723,725 filed 11/27/00;  
09/579,690 filed 05/26/00;  
09/979,701 filed 03/13/01 (U.S. National Stage of PCT/US00/14810 filed 05/26/00);  
09/979,952 filed 04/04/02 (U.S. National Stage of PCT/US00/15239 filed 06/01/00);

and,

09/980,568 filed 03/12/02 (U.S. National Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending applications directed to related subject matter but subject to different assignment:

10/010,942 filed 12/06/01;  
10/232,030 filed 08/30/02;  
10/388,389 filed 03/12/03;  
60/444,150 filed 02/01/03;  
10/388,214 filed 03/12/03; and,  
60/474,654 filed 05/30/03.

Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

60/067,740 filed 12/02/97;  
60/080,970 filed 04/07/98;  
60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;  
09/724,921 filed 11/28/00;

60/137,010 filed 06/01/99;  
60/137,047 filed 06/01/99; and,  
60/136,655 filed 05/28/99.

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00; and,  
60/363,751 filed 03/12/02.

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

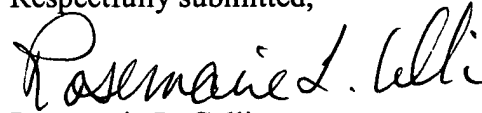
60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;  
09/204,838 filed 12/03/98;  
09/724,921 filed 11/28/00; and,  
09/724,929 filed 11/28/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

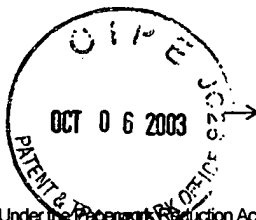
Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rosemarie L. Celli". The signature is fluid and cursive, with the first name "Rosemarie" being more prominent than the last name "Celli".

Rosemarie L. Celli  
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
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RLC:crf



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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 5

Complete if Known

Application Number	09/724,552
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher J. Nichols
Attorney Docket Number	15270J-004761US

### U.S. PATENT DOCUMENTS

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	360	2003/0073655 A1	04-17-2003	Chain	
	370	2003/0068325 A1	04-10-2003	Wang	
	378	2002/0197258 A1	12-26-2003	Ghanbari et al.	
	366	2002/0187157 A1	12-12-2002	Jensen et al.	
	377	2002/0168377 A1	11-14-2002	Schaetzl	
	340	2002/0162129 A1	10-31-2002	Lannfelt	
	395	2002/0160394 A1	10-31-2002	Wu	
	379	2002/0132268 A1	09-19-2002	Chang et al.	
	365	2002/0133001 A1	09-19-2002	Geffer et al.	
	362	2002/0094335 A1	07-18-2002	Chalifour et al.	
	376	2002/0086847 A1	07-04-2002	Chain	
	405	6,399,314 B1	06-04-2002	Krishnamurthy	
	342	2002/0009445 A1	01-24-2002	Du et al.	
	381	2001/0021769 A1	09-13-2001	Prusiner	
	401	6,284,533 B1	09-04-2001	Thomas	
	345	2002/0077288 A1	06-21-2001	Frangione	
	346	5,935,927	08-10-1999	Vitek et al.	
	382	5,846,533	12-08-1998	Prusiner	
	353	5,824,322	10-20-1998	Balasubramanian	
	357	5,776,468 B1	07-07-1998	Hauser et al.	
	380	5,750,361	05-12-1998	Prusiner et al.	
	373	5,721,130	02-24-1998	Seubert et al.	
	356	5,622,701	04-22-1997	Berg	
	358	5,583,112 B2	12-10-1996	Kensil et al.	
	403	5,464,823	11-07-1995	Lehrer et al.	
	402	4,713,366	12-15-1987	Stevens	

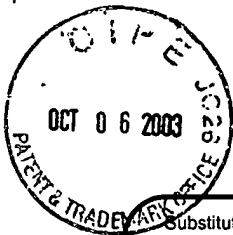
Examiner  
Signature

Date  
Considered

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 5

Complete if Known

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First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher J. Nichols
Attorney Docket Number	15270J-004761US

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	343	EP	1 172 378	A1	01-16-2002			
	351	WO	02/34878	A2	05-02-2002			
	352	WO	02/34777	A1	05-02-2002			
	341	WO	02/03911	A2	04-07-2001			
	344	WO	01/90182	A2	11-29-2001			
	348	WO	01/77167	A2	10-18-2001			
	383	WO	97/10505	A1	03-20-1997			

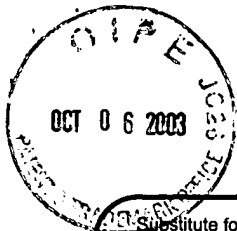
Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (10-01)

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		Art Unit	1647
		Examiner Name	Christopher J. Nichols
Sheet 3 of 5	Attorney Docket Number	15270J-004761US	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	391	AGUZZI et al., "Prion research: the next frontiers," <u>Nature</u> , 389:795-798 (1997).	
	393	AKIYAMA et al., "Inflammation and Alzheimer's disease," <u>Neurobiology of Aging</u> , 21:383-421 (2000).	
	372	AKIYAMA et al., "Occurrence of the Diffuse Amyloid $\beta$ -Protein ( $A\beta$ ) Deposits With Numerous $A\beta$ -Containing Glial Cells in the Cerebral Cortex of Patients With Alzheimer's Disease," <u>Glia</u> , 25:324-331 (1999).	
	404	BENJAMINI and LESKOWITZ, from <u>IMMUNOLOGY A Short Course</u> , Second Edition, Chapter 4, Antibody Structure, pages 49-65, 1991, published by Wiley-Liss, Inc., New York, New York.	
	349	CHECK, "Battle of the Mind," <u>Nature</u> , 422:370-372 (March 2003).	
	390	DIOMEDE et al., "Activation effects of a prion protein fragment [PrP-(106-126)] on human leucocytes," <u>Biochem. J.</u> , 320:53-570 (1996).	
	363	DODART, "Immunotherapy for Alzheimer's disease: will vaccination work?" <u>Trends in Molecular Medicine</u> , 9(3):85-87 (2003).	
	386	FRATUTSCHY et al., "Effects of injected Alzheimer $\beta$ -amyloid cores in rat brain," <u>PNAS</u> , 88:8362-8366 (1991).	
	364	FURLAN et al., "Vaccination with amyloid- $\beta$ peptide induces autoimmune encephalomyelitis in C57/BL6 mice," <u>Brain</u> , 126:285-291 (2003).	
	388	GOLDFARB et al., "The Transmissible Spongiform Encephalopathies," <u>Ann. Rev. Med.</u> , 46:57-65 (1995).	
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Examiner Signature		Date Considered	
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STATEMENT BY APPLICANT**

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Sheet 4 of 5

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Application Number	09/724,552
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher J. Nichols
Attorney Docket Number	15270J-004761US

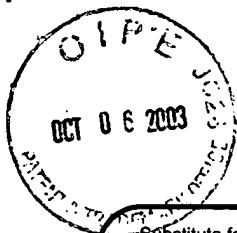
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